

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JOSEPH ROBERT MARKLE,

Plaintiff,

v.

MICHAEL R. ADAMS, et al.,

Defendants.

No. 4:18-CV-00157

(Judge Brann)

**ORDER**

**DECEMBER 28, 2018**

1. On April 10, 2018, Defendants Daniel J. Barrett, Brian Gallagher, Albert C. Ondrey, and Richard Wilson moved to dismiss Plaintiff Joseph Robert Markle's Amended Complaint.
2. On May 7, 2018, Defendant Michael R. Adams also moved to dismiss that complaint.
3. On October 29, 2018, Chief Magistrate Judge Susan E. Schwab recommended that this Court grant the motion filed by Mr. Barrett, Mr. Gallagher, Mr. Ondrey, and Mr. Wilson, but deny the motion filed by Mr. Adams.
4. Objections to these Reports and Recommendations were due by November 13, 2018, but none were filed.

5. This Court has reviewed these Reports and Recommendation and has found “no clear error on the face of the record.”<sup>1</sup>
6. Therefore, **IT IS HEREBY ORDERED** that:
  - a. Chief Magistrate Judge Schwab’s Reports and Recommendations, ECF Nos. 38 and 39, are **ADOPTED IN THEIR ENTIRETY**.
  - b. The Motion to Dismiss filed by Defendants Daniel J. Barrett, Brian Gallagher, Albert C. Ondrey, and Richard Wilson, is **GRANTED**, and all claims against those defendants are **DISMISSED WITH PREJUDICE**.
  - c. The Motion to Dismiss filed by Defendant Michael R. Adams is **DENIED**.
7. This matter is remanded to Chief Magistrate Judge Schwab for further proceedings.

BY THE COURT:

*s/ Matthew W. Brann*

Matthew W. Brann

United States District Judge

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<sup>1</sup> *Univac Dental Co. v. Dentsply Intern., Inc.*, 702 F. Supp. 2d 465, 469 (M.D. Pa. 2010).